

117TH CONGRESS  
1ST SESSION

# H. R. 1464

To impose sanctions with respect to foreign persons listed in the Office of the Director of National Intelligence report titled “Assessing the Saudi Government’s Role in the Killing of Jamal Khashoggi”, dated February 11, 2021.

---

## IN THE HOUSE OF REPRESENTATIVES

MARCH 1, 2021

Mr. MALINOWSKI (for himself, Mr. KIM of New Jersey, and Mr. McGOVERN) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

---

## A BILL

To impose sanctions with respect to foreign persons listed in the Office of the Director of National Intelligence report titled “Assessing the Saudi Government’s Role in the Killing of Jamal Khashoggi”, dated February 11, 2021.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Saudi Arabia Account-  
5       ability for Gross Violations of Human Rights Act”.

1   **SEC. 2. FINDINGS.**

2       Congress finds the following:

3           (1) On October 2, 2018, Washington Post jour-  
4       nalist Jamal Khashoggi was murdered by Saudi gov-  
5       ernment agents in Istanbul, having reportedly been  
6       lured out of the United States by Saudi diplomatic  
7       officials in Washington, DC, and monitored through  
8       surveillance spyware.

9           (2) On July 25, 2019, the House of Represent-  
10      atives passed by a margin of 405–7 the Saudi Ara-  
11      bia Human Rights and Accountability Act of 2019,  
12      which required—

13               (A) an unclassified report by the Director  
14       of National Intelligence on parties responsible  
15       for Khashoggi’s murder, a requirement ulti-  
16       mately inserted into and passed as part of the  
17       National Defense Authorization Act for Fiscal  
18       Year 2020;

19               (B) visa sanctions on all persons identified  
20       in such report; and

21               (C) a report on human rights on Saudi  
22       Arabia.

23           (3) On February 26, 2021, the Director of Na-  
24       tional Intelligence released the report produced pur-  
25       suant to congressional direction, directly implicating  
26       Saudi Crown Prince Mohammed bin Salman and

1 other senior Saudi officials in the planning and di-  
2 rection of Khashoggi's murder.

3 (4) Section 7031(c) of division K of the Con-  
4 solidated Appropriations Act, 2021 (Public Law  
5 116–260) requires the Secretary of State to deny  
6 entry into the United States of “officials of foreign  
7 governments and their immediate family members  
8 about whom the Secretary of State has credible in-  
9 formation have been involved, directly or indirectly,  
10 in . . . a gross violation of human rights”.

11 (5) The Arms Export Control Act (22 U.S.C.  
12 2751 et seq.) prohibits weapons transfers to foreign  
13 countries determined by the President to be engaged  
14 in a “pattern of acts of intimidation or harassment  
15 directed against individuals in the United States”.

16 (6) The Foreign Assistance Act of 1961 (22  
17 U.S.C. 2151 et seq.) directs the President to formu-  
18 late and conduct international security assistance  
19 programs of the United States in a manner which  
20 will “avoid identification of the United States,  
21 through such programs, with governments which  
22 deny to their people internationally recognized  
23 human rights and fundamental freedoms”.

24 (7) Secretary of State Antony Blinken has af-  
25 firmed the United States national interest in pre-

1       venting authoritarian foreign governments from  
2       reaching beyond their borders to intimidate or harm  
3       persons within the United States, stating that: “As  
4       a matter of safety for all within our borders, per-  
5       petrators targeting perceived dissidents on behalf of  
6       any foreign government should not be permitted to  
7       reach American soil. . . . We have made absolutely  
8       clear that extraterritorial threats and assaults by  
9       Saudi Arabia against activists, dissidents, and jour-  
10      nalists must end.”.

11      **SEC. 3. SANCTIONS WITH RESPECT TO FOREIGN PERSONS**  
12                   **LISTED IN THE REPORT OF THE DIRECTOR**  
13                   **NATIONAL INTELLIGENCE ON THE MURDER**  
14                   **OF JAMAL KHASHOGGI.**

15       (a) IMPOSITION OF SANCTIONS.—On and after the  
16       date that is 30 days after the date of the enactment of  
17       this Act, the sanctions described in subsection (b) shall  
18       be imposed with respect to each foreign person listed in  
19       the Office of the Director of National Intelligence report  
20       titled “Assessing the Saudi Government’s Role in the Kill-  
21       ing of Jamal Khashoggi”, dated February 11, 2021.

22       (b) SANCTIONS DESCRIBED.—

23                   (1) IN GENERAL.—The sanctions described in  
24       this subsection are the following:

(A) INELIGIBILITY FOR VISAS AND ADMISSION TO THE UNITED STATES.—

13 (B) CURRENT VISAS REVOKED.—

20 (I) take effect immediately; and

(II) automatically cancel any other valid visa or entry documentation that is in the foreign person's possession.

1                             (2) EXCEPTION TO COMPLY WITH INTER-  
2 NATIONAL OBLIGATIONS.—Sanctions under para-  
3 graph (1) shall not apply with respect to a foreign  
4 person if admitting or paroling the person into the  
5 United States is necessary to permit the United  
6 States to comply with the Agreement regarding the  
7 Headquarters of the United Nations, signed at Lake  
8 Success June 26, 1947, and entered into force No-  
9 vember 21, 1947, between the United Nations and  
10 the United States, or other applicable international  
11 obligations.

12                             (3) WAIVER IN THE INTEREST OF NATIONAL  
13 SECURITY.—The President may waive for an indi-  
14 vidual entry into the United States the application  
15 of this section with respect to a foreign person who  
16 is A-1 visa eligible and who is present in or seeking  
17 admission into the United States for purposes of of-  
18 ficial business if the President determines and trans-  
19 mits to the appropriate congressional committees an  
20 unclassified written notice and justification not later  
21 than 15 days before the granting of such waiver,  
22 that such a waiver is in the national security inter-  
23 ests of the United States.

24                             (c) SUSPENSION OF SANCTIONS.—

1                             (1) IN GENERAL.—The President may suspend  
2                             in whole or in part the imposition of sanctions other-  
3                             wise required under this section if the President cer-  
4                             tifies to the appropriate congressional committees  
5                             that the following criteria have been met in Saudi  
6                             Arabia:

7                             (A) The Government of Saudi Arabia is  
8                             not arbitrarily detaining citizens or legal resi-  
9                             dents of the United States or any other third  
10                            country for arbitrary political reasons, including  
11                            criticism of Saudi government policies, peaceful  
12                            advocacy of political beliefs, or the pursuit of  
13                            United States citizenship.

14                            (B) The Government of Saudi Arabia is  
15                             cooperating in outstanding criminal proceedings  
16                             in the United States in which a Saudi citizen or  
17                             national departed from the United States while  
18                             the citizen or national was awaiting trial or sen-  
19                             tencing for a criminal offense committed in the  
20                             United States.

21                            (C) The Government of Saudi Arabia has  
22                             made significant numerical reductions in indi-  
23                             viduals detained for peaceful political reasons,  
24                             including activists, journalists, bloggers, law-  
25                             yers, or critics.

6 (E) The Government of Saudi Arabia has  
7 made meaningful commitments to a multilateral  
8 framework on the lawful use, sale, transfer of  
9 digital surveillance items and services that can  
10 be used to abuse human rights.

11 (F) The Government of Saudi Arabia has  
12 instituted meaningful legal reforms to protect  
13 the rights of freedom of expression, religion,  
14 women's rights, and due process in its judicial  
15 system.

22 (d) DEFINITIONS.—In this section:

23                             (1) ADMITTED; ALIEN.—The terms “admitted”  
24                             and “alien” have the meanings given those terms in

1       section 101 of the Immigration and Nationality Act  
2       (8 U.S.C. 1101).

3               (2) APPROPRIATE CONGRESSIONAL COMMIT-  
4       TEES.—The term “appropriate congressional com-  
5       mittees” means—

6                       (A) the Committee on Foreign Affairs, the  
7       Committee on the Judiciary, and the Perma-  
8       nent Select Committee on Intelligence of the  
9       House of Representatives; and

10                  (B) the Committee on Foreign Relations,  
11       the Committee on the Judiciary, and the Select  
12       Committee on Intelligence of the Senate.

13               (3) FOREIGN PERSON.—The term “foreign per-  
14       son” has the meaning given such term in section  
15       595.304 of title 31, Code of Federal Regulations (as  
16       in effect on the day before the date of the enactment  
17       of this Act), except that such term does not include  
18       an entity (as such term is described in such section).

19               (4) FOREIGN PERSON WHO IS A-1 VISA ELIGI-  
20       BLE.—The term “foreign person who is A-1 visa eli-  
21       gible” means an alien described in section  
22       101(a)(15)(A)(i) of the Immigration and Nationality  
23       Act (8 U.S.C. 1101(a)(15)(A)(i)).

24               (5) UNITED STATES PERSON.—The term  
25       “United States person” means—

1                             (A) a United States citizen or an alien law-  
2                             fully admitted for permanent residence to the  
3                             United States; or

4                             (B) an entity organized under the laws of  
5                             the United States or any jurisdiction within the  
6                             United States, including a foreign branch of  
7                             such an entity.

8                             **SEC. 4. REPORT AND SUSPENSION OF ASSISTANCE FOR IN-**  
9                             **CIDENTS OF ARBITRARY DETENTION, VIO-**  
10                           **LENCE, AND STATE-SANCTIONED HARASS-**  
11                           **MENT BY THE GOVERNMENT OF SAUDI ARA-**  
12                           **BIA AGAINST UNITED STATES CITIZENS AND**  
13                           **THEIR FAMILY MEMBERS.**

14                           (a) IN GENERAL.—Not later than 180 days after the  
15 date of the enactment of this Act, and every 6 months  
16 thereafter, the Secretary of State, in consultation with the  
17 Director of National Intelligence and the Director of the  
18 Federal Bureau of Investigation, shall submit to the ap-  
19 propriate congressional committees a report on incidents  
20 of arbitrary detention, violence, and state-sanctioned har-  
21 assment by the Government of Saudi Arabia against  
22 United States citizens and their family members who are  
23 not United States citizens, in the United States and for-  
24 eign countries.

1       (b) MATTERS TO BE INCLUDED.—The report re-  
2 quired by subsection (a) shall include—

3                 (1) a detailed description of such incidents in  
4                 the past 5 years;

5                 (2) a certification of whether Saudi Arabia is  
6                 engaging in a “pattern of acts of intimidation or  
7                 harassment directed against individuals in the  
8                 United States” pursuant to section 6 of the Arms  
9                 Export Control Act (22 U.S.C. 2756); and

10                 (3) any other actions taken to deter incidents of  
11                 intimidation or harassment against Americans and  
12                 their families by such government’s security agen-  
13                 cies.

14       (c) FORM.—The report required by subsection (a)  
15 shall be submitted in unclassified form.

16       (d) SUSPENSION OF ASSISTANCE.—If the President  
17 determines in any report issued pursuant to subsection (a)  
18 that the Government of Saudi Arabia has engaged in a  
19 pattern of acts of intimidation or harassment directed  
20 against individuals in the United States, the President  
21 shall cancel or suspend any letters of offer, credits, guar-  
22 antees, or export licenses with such government, in compli-  
23 ance with section 6 of the Arms Export Control Act (22  
24 U.S.C. 2756) until such time as the President determines

1 that the pattern of acts of intimidation or harassment has  
2 ceased.

3 (e) APPROPRIATE CONGRESSIONAL COMMITTEES DE-  
4 FINED.—In this section, the term “appropriate congres-  
5 sional committees” means—

6 (1) the Committee on Foreign Affairs, the  
7 Committee on Armed Services, and the Permanent  
8 Select Committee on Intelligence of the House of  
9 Representatives; and

10 (2) the Committee on Foreign Relations, the  
11 Committee on Armed Services, and the Select Com-  
12 mittee on Intelligence of the Senate.

13 **SEC. 5. MEASURES TO DISASSOCIATE UNITED STATES SE-**  
14 **CURITY ASSISTANCE FROM HUMAN RIGHTS**  
15 **ABUSES BY THE GOVERNMENT OF SAUDI**  
16 **ARABIA.**

17 Not later than 180 days after the date of the enact-  
18 ment of this Act, the Secretary of State shall issue draft  
19 regulations to be promulgated in the Foreign Affairs Man-  
20 ual that each individual concurrence by the Department  
21 of State for an instance of United States security assist-  
22 ance, including military-to-military activities and arms  
23 transfers, with the Government of Saudi Arabia shall be  
24 accompanied by the publication on a text-searchable  
25 website of an unclassified report that describes whether

1 and how the provision of such assistance will “avoid identi-  
2 fication of the United States, through such programs, with  
3 governments which deny to their people internationally  
4 recognized human rights and fundamental freedoms, in  
5 violation of international law or in contravention of the  
6 policy of the United States” in accordance with section  
7 502B the Foreign Assistance Act (22 U.S.C. 2304).

○